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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(13)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the Mayor to include experts with no conflict to provide objective analyses in selection committees for the recommendation of contracts relating to the planning, design and construction of water and sewer infrastructure improvements
Resolution No. R-600-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa and Co-Sponsor Commissioner Esteban L. Bovo, Jr.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

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Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(13)
7-2-13

RESOLUTION NO. R-600-13

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO INCLUDE EXPERTS WITH NO CONFLICT TO PROVIDE OBJECTIVE ANALYSES IN SELECTION COMMITTEES FOR THE RECOMMENDATION OF CONTRACTS RELATING TO THE PLANNING, DESIGN AND CONSTRUCTION OF WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS

WHEREAS, Miami-Dade County has identified large infrastructure needs in its water and sewer system resulting from aging infrastructure that needs to be renewed, new infrastructure to meet changing regulatory requirements, and new infrastructure to meet additional capacity requirements for economic growth; and

WHEREAS, meeting those infrastructure needs is essential to the prosperity of this community and the health, safety and welfare of its residents; and

WHEREAS, in order to meet those infrastructure needs, the County, is about to undertake a process which will require the expenditure of substantial County resources through contracting with planning, design and construction firms; and

WHEREAS, the involvement of outside, independent experts in selection committees relating to the planning, design and construction of water and sewer infrastructure improvements will provide the County with additional technical expertise, contribute an additional perspective and promote the integrity and transparency of the process and is in the best interest of the County; and

WHEREAS, the involvement of outside, independent experts is consistent with this County's policy for the formation of Selection Committees set forth in Implementing Order No. 3-34,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor is hereby directed to include available outside, independent experts whenever practicable within selection committees formed for the evaluation of firms to perform the planning, design and construction of water and sewer infrastructure improvements. The outside, independent experts shall serve in a volunteer capacity, and may include members of universities or other academic institutions, engineers, and persons with experience in the planning, execution and management of water and sewer projects. The outside, independent experts shall not have a direct or indirect financial interest in the matter being evaluated and shall otherwise comply with any applicable provision of the County Code including the County's Code of Ethics. This Board may waive the requirements of this Section upon the written recommendation of the Mayor accompanying any recommended contract when in the best interest of the County. Reasons for waiving the requirement may include, but are not limited to lack of availability, or the need to expedite a particular solicitation in a manner inconsistent with the time commitments of available experts.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa and the Co-Sponsor is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Audrey Edmonson** who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**absent**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of July, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez